



# Air Resources Board



Linda S. Adams  
Secretary for  
Environmental Protection

Mary D. Nichols, Chairman  
1001 I Street • P.O. Box 2815  
Sacramento, California 95812 • [www.arb.ca.gov](http://www.arb.ca.gov)

Arnold Schwarzenegger  
Governor

October 12, 2009

Ms. Laura Yoshii  
Acting Regional Administrator  
U.S. Environmental Protection Agency  
Region 9  
75 Hawthorne Street  
San Francisco, California 94105

Dear Ms. Yoshii:

The Air Resources Board (ARB or Board) hereby submits to the U.S. Environmental Protection Agency (U.S. EPA) regulations that implement restrictions on agricultural fumigant methods. The Department of Pesticide Regulation (DPR) adopted these regulations on April 20, 2009. These regulations achieve emission reductions needed to comply with DPR's State Implementation Plan (SIP) commitment to reduce pesticide VOC emissions.

On January 28, 2008, ARB submitted to U.S. EPA an earlier version of these regulations. The regulations being submitted today replace the January 28, 2008 submittal in its entirety.

This package consists of two hard copies and one electronic copy of the following materials.

- I) October 5, 2009, memo from Mr. Christopher Reardon, DPR Chief Deputy Director, to Mr. James Goldstene, ARB Executive Officer, transmitting:
  - A) A copy of regulations from the following sections from Title 3, California Code of Regulations for inclusion in California's SIP, including and limited to:
    - Sections 6447 (first paragraph) and 6447.3–6452 pertaining to field fumigation methods; and
    - Portions of sections 6452.1–6452.4 and sections 6624–6626 pertaining to the emission inventory. DPR is including sections 6452.2 and 6452.3 pertaining to field fumigation limits and allowances in the Ventura federal ozone nonattainment area for

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.*

California Environmental Protection Agency

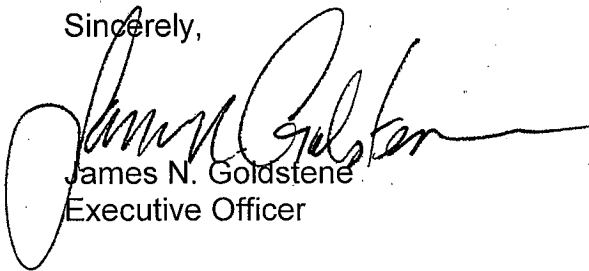
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submittal to U.S. EPA. The portions of sections 6452.2 and 6452.3 pertaining to field fumigation limits and allowances in the Sacramento Metro, San Joaquin Valley, South Coast, and Southeast Desert federal ozone nonattainment areas are not included for submittal to U.S. EPA.

- B) Copies of newspaper advertisements in the area affected showing that the public was given more than 30 days notice of each hearing;
  - C) Statement of Randy Segawa Regarding Public Notice for the Development of Regulations Relating to the Adoption of California's Fumigation Regulations;
  - D) A copy of key documents from the rulemaking file for the first set of regulations;
  - E) A copy of key documents from the rulemaking file for the second set of regulations;
  - F) A copy of key documents from the rulemaking file for the third set of regulations;
- II) ARB Executive Order S-09-011 adopting the regulations as an amendment to California's SIP.
- III) ARB SIP Completeness Checklist.

If you have any questions, please call Ms. Lynn Terry, Deputy Executive Officer, at (916) 322-2739.

Sincerely,



James N. Goldstene  
Executive Officer

Enclosures

cc: See next page.

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cc: (w/o enclosures)

Ms. Debbie Jordan, Director  
U.S. Environmental Protection Agency  
Air Division-Region 9  
75 Hawthorne Street  
San Francisco, California 94105

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Mr. Chris Reardon  
Chief Deputy Director  
California Department of Pesticide Regulation  
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Sacramento, California 95814

Mr. Seyed Sadredin  
Executive Director  
San Joaquin Valley Unified  
Air Pollution Control District  
1990 East Gettysburg Avenue  
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Ms. Lynn Terry  
Deputy Executive Officer